

Bats and the Law

The Conservation of Wildlife (Jersey) Law, 2000 provides local protection for Jersey's bats who are also afforded International protection from the Berne and Bonn agreements. Because all bat species are considered so vulnerable, the Wildlife Law asks that anyone doing anything in relation to a bat, notifies the Department of the Environment of any proposed actions or operations.

Building owners and anyone working regularly on building projects such as architects and consultants, roofers and plumbers should be aware of bats and how to work within the Law.

BATS

Bats are increasingly using buildings for roosting as natural sites in tree holes and caves have become scarce and disrupted. All buildings, in particular the walls, eaves and roofs, are potential roost sites.

Building or development works can sometimes harm wildlife that is protected by law. This leaflet has been designed to help you avoid harming any bats that may be at risk from your proposed works (and to help you avoid breaking the law!)

Even if they are not in your building, bats maybe roosting in trees, hedges or undergrowth that you need to clear before doing your building works. Bats are very small and quiet you may not realise they are sharing your property with you!

Having bats should not stop you maintaining or improving your property, but you may have to take a little more care or be flexible as to when you do the works.

Working within the Wildlife Law: -

Before beginning any work be sure there are **NO** bats present. If you are unsure or think they may be present seek advice from the **Dept. of the Environment Tel:441600**

Work will not necessarily be prevented however advice can be given on the best way for the work to be carried out.

Considering the presence of bats early on in your building project will help to ensure unnecessary delays and expense once the project is under way.

If works have already started when bats or their roosts are discovered, work should stop immediately and you must contact the **Dept. of the Environment Tel:441600**

Looking for Evidence

Bats do not make nests, nor cause structural damage. The most obvious sign of their presence is finding their droppings.

Bat droppings consist largely of insect remains and crumble easily between your fingers to a harmless powder of semi-shiny fragments. They contrast to **rodent droppings** which are smooth and plastic becoming quickly hard and cannot be crumbled.



Bat droppings do not present any known health hazards.

Droppings may not be easily visible within a loft however sometimes large accumulations may occur, reflecting many years of occupation rather than large numbers of bats at any one time.

Bat droppings are frequently mistaken for mouse

A good search for evidence requires time and a practised eye – if you are in doubt please call the Dept. of the Environment for assistance.

For more information, contact the States of Jersey Department of the Environment, Natural Environment Team: Tel: 441600



All bats are declining in numbers – some of the biggest threats are:

- Damage to their roost sites by buildings works
- Blocking of roost entrances by building works
- Destruction of roost sites by tree felling or tree surgery
- Poisoning by toxic timber treatments chemicals

If roosts are recognised, such harm can be avoided.

Where do bats roost in buildings?

Different species of bats prefer different places but most creep into tiny spaces. Few bats hang freely choosing instead to squeeze into cracks and crevices like the tiny gaps between the roof tiles and felt.

Outside they may roost:

- Under weather boarding or hanging tiles
- Above soffits and behind fascia and barge boarding
- In gaps behind cladding tiles or wood
- Between underfelt and boards or tiles
- Inside cavity walls

Inside roof spaces they may roost:

- Inside the roof apex
- Along the ridge beam
- Along the gable end
- Around the chimney breast In the eaves or in cavity walls.

Best practice within bat roosts:

The control of wasps, bees, hornets, cluster flies and rodents may unintentionally affect bats or their roosts.

Please think before doing anything in areas where bats are, or are known to have been present.

Rodenticides should not be placed in an open tray below roosting bats.

Insecticides are recommended as safer for use near mammals are based on permethrin and cypermethrin.

Breathable Roofing Membranes should not be used due to a risk of bats' feet and wings becoming entangled.

When do bats use buildings ?

Bats may use buildings at any time, but are most often found in houses between May and August.

- Mother bats have only one baby a year, suckling it for several weeks. The mothers gather in maternity roosts to have their babies in the summer, and this is the time they are most likely to use buildings.
- The bats move away when the young can fly and feed themselves, and have usually left by September.
- Immature individuals, adult males and non-breeding females will occupy a variety of roosts, individually or in small groups.
- Disturbance or the use of toxic chemicals at maternity roosts in houses can have a major impact on bat populations gathered from a wide area.
- Bats do roost in houses in winter, usually individually, but are less commonly found.

All species of bats recorded in Jersey have been recorded in houses:

Species of Pipistrelle bats commonly use houses as maternity roosts, choosing confined spaces on the outside of buildings, such as soffits, or behind barge boards or hanging tiles, where they can rarely be seen.

Grey long-eared bats mostly prefer older houses with high open roof spaces. Small clusters may be seen at junctions of roof timbers or under the ridge.



Grey long-eared bat

Survey details that will need to be undergone before construction work is allowed to proceed:

The following requirements should be met during an ecological study of the site to the satisfaction of the Department of the Environment:

- The survey should be carried out by a qualified and competent person approved by the Minister for the Environment.
- A method statement for the survey should be agreed with the Department of the Environment, detailing the work and the methods used to accomplish it. The following information should be provided:
 - Confirmation as to which species are present or likely to be present;
 - An assessment of the importance of the site in terms of the population of the species affected and the likely effect of the development on such population both during and post development;
 - How the species make use of the site and whether there may be connections to adjoining land/sites
 - Development options as to how the works may be achieved with minimum disturbance to protected species if identified as present;
 - Consideration should also be given to other habitats (foraging etc.) upon which the species present may depend.
 - The survey should encompass all of the buildings/property that will be affected by the proposed development and should include at least 3 emergence or re-entry surveys, as well as sound recording and analysis of at least 4 hours duration from sunset
 - Timing of the Survey - the survey should be effected during the Summer period of activity between May and September.
 - Note that a licence under the Wildlife Law may be required to carry out the survey.

Mitigation

Should evidence be found that protected species are present on the site, the development should not be permitted to proceed until adequate mitigation procedures have been submitted to and approved by the Department of the Environment.

Mitigation should seek to incorporate two aims:

- To protect the bats from harm during the works; by timing restrictions to minimise disturbance to the bats during the active/breeding season; and
- To ensure sufficient quality, quantity and connectivity of habitat is provided to accommodate the population post development.

Compensation:

Informative Measures may include:

- Alteration of the design of the development to accommodate identified bat,
- roosts/maintaining access points to ensure that roost sites remain accessible and suitable (eg careful use of insulation);
- Bat boxes to be put up in the same vicinity e.g garden, if more suitable for bats in the area.

A licence may be required under the Wildlife Law to implement these mitigation measures.

It is the responsibility of the applicant to inform all site workers of the possibility of protected species on site and the implications under the Wildlife Law and advised that it is their responsibility under the Law to stop work and notify the Department of the Environment immediately should any species be found.

Failure to do this may result in the disturbance or killing of a protected species which could lead to prosecution under the Wildlife Law.

For more information, contact the States of Jersey Department of the Environment Tel: 441600, Fax: 441601, <http://www.gov.je/PlanningEnvironment/Environment/>